

07/05/01  
TO/501  
S. N. D. T. C.

07-06-01

PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. FRR/12587

First Inventor Paul Giotta

Title METHOD FOR ENSURING OPERATION...

Express Mail Label No. EL518109735US

JC872 U 09/89962

07/05/01

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 60]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 2 ]
5. Oath or Declaration [ Total Pages 0 ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
 (for continuation/divisional with Box 18 completed)
  - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b)
6.  Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney (when there is an assignee)  Attorney
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17.  Other: Check for \$475.00 ....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

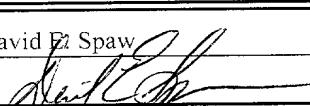
Continuation  Divisional  Continuation-in-part (CIP) of prior application No. ....

Prior application information Examiner \_\_\_\_\_

Group Art Unit \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

|   |   |                                   |   |
|---|---|-----------------------------------|---|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 007609<br>(Insert Customer No. or Attach bar code label here)                       |                                   | <input type="checkbox"/> or <input type="checkbox"/> Correspondence address below |
| Name  | Rankin, Hill, Porter & Clark LLP  |                                   |   |
|   | 925 Euclid Avenue, Suite 700  |                                   |   |
| Address   |   |                                   |   |
| City  | Cleveland   | State                             | Ohio  |
| Country   | U.S.A.  | Telephone                         | (216) 566-9700  |
| Name (Print/Type)   | David E. Spaw   | Registration No. (Attorney/Agent) | 34732   |
| Signature   |  |                                   | Date 07/05/2001   |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

# FEE TRANSMITTAL

## for FY 2001

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 475.00)

## Complete if Known

|                      |             |
|----------------------|-------------|
| Application Number   |             |
| Filing Date          | Herewith    |
| First Named Inventor | Paul Giotta |
| Examiner Name        |             |
| Group Art Unit       |             |
| Attorney Docket No.  | FRR/12587   |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 18-0160

Deposit Account Name Rankin, Hill, Porter &amp; Clark

 Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17 Applicant claims small entity status  
See 37 CFR 1.272.  Payment Enclosed: Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity  |          | Small Entity  |          | Fee Description        | Fee Paid |
|---------------|----------|---------------|----------|------------------------|----------|
| Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee (\$) |                        |          |
| 101           | 710      | 201           | 355      | Utility filing fee     | 355      |
| 106           | 320      | 206           | 160      | Design filing fee      |          |
| 107           | 490      | 207           | 245      | Plant filing fee       |          |
| 108           | 710      | 208           | 355      | Reissue filing fee     |          |
| 114           | 150      | 214           | 75       | Provisional filing fee |          |
| SUBTOTAL (1)  |          | (\$)          |          | 355                    |          |

## 2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    | 20**         | = 0            | X 9 = 0  |
| 14           | 6                  |                    | 3            | X 40 = 120     |          |
|              |                    |                    |              |                | = 0      |

## Large Entity Small Entity

| Large Entity  |          | Small Entity  |          | Fee Description  | Fee Paid |
|---------------|----------|---------------|----------|--|----------|
| Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee (\$) |  |          |
| 103           | 18       | 203           | 9        | Claims in excess of 20                                     |          |
| 102           | 80       | 202           | 40       | Independent claims in excess of 3                          |          |
| 104           | 270      | 204           | 135      | Multiple dependent claim, if not paid                      |          |
| 109           | 80       | 209           | 40       | ** Reissue independent claims over original patent         |          |
| 110           | 18       | 210           | 9        | ** Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2)  |          | (\$)          |          | 120  |          |

\*\*or number previously paid, if greater, For Reissues, see above

## 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid  |
|----------------------------|----------------------------|-----------------|---|
| 105                        | 130                        | 205             | 65 Surcharge - late filing fee or oath  |
| 127                        | 50                         | 227             | 25 Surcharge - late provisional filing fee or cover sheet                     |
| 139                        | 130                        | 139             | 130 Non-English specification   |
| 147                        | 2,520                      | 147             | 2,520 For filing a request for ex parte reexamination                         |
| 112                        | 920*                       | 112             | 920* Requesting publication of SIR prior to Examiner action                   |
| 113                        | 1,840*                     | 113             | 1,840* Requesting publication of SIR after Examiner action                    |
| 115                        | 110                        | 215             | 55 Extension for reply within first month                                     |
| 116                        | 390                        | 216             | 195 Extension for reply within second month                                   |
| 117                        | 890                        | 217             | 445 Extension for reply within third month                                    |
| 118                        | 1,390                      | 218             | 695 Extension for reply within fourth month                                   |
| 128                        | 1,890                      | 228             | 945 Extension for reply within fifth month                                    |
| 119                        | 310                        | 219             | 155 Notice of Appeal  |
| 120                        | 310                        | 220             | 155 Filing a brief in support of an appeal                                    |
| 121                        | 270                        | 221             | 135 Request for oral hearing  |
| 138                        | 1,510                      | 138             | 1,510 Petition to institute a public use proceeding                           |
| 140                        | 110                        | 240             | 55 Petition to revive - unavoidable   |
| 141                        | 1,240                      | 241             | 620 Petition to revive - unintentional  |
| 142                        | 1,240                      | 242             | 620 Utility issue fee (or reissue)  |
| 143                        | 440                        | 243             | 220 Design issue fee  |
| 144                        | 600                        | 244             | 300 Plant issue fee   |
| 122                        | 130                        | 122             | 130 Petitions to the Commissioner   |
| 123                        | 50                         | 123             | 50 Petitions related to provisional applications                              |
| 126                        | 240                        | 126             | 240 Submission of Information Disclosure Stmt                                 |
| 581                        | 40                         | 581             | 40 Recording each patent assignment per property (times number of properties) |
| 146                        | 710                        | 246             | 355 Filing a submission after final rejection (37 CFR § 1.129(a))             |
| 149                        | 710                        | 249             | 355 For each additional invention to be examined (37 CFR § 1.129(b))          |
| 179                        | 710                        | 279             | 355 Request for Continued Examination (RCE)                                   |
| 169                        | 900                        | 169             | 900 Request for expedited examination of a design application                 |
| Other fee (specify) _____  |                            |                 |   |

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

0

Complete if applicable

|                   |   |                                  |        |           |                |
|-------------------|---|----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | David E. Spaw   | Registration No (Attorney/Agent) | 34,732 | Telephone | (216) 566-9700 |
| Signature         |  |                                  |        | Date      | 07/05/2001     |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231